

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff, and)
)
PEOPLE FIRST OF TENNESSEE, et al.,)
)
Plaintiffs-Intervenors,)
)
v.) Civil Action:
) No. 92-2062-JPM
STATE OF TENNESSEE, et al.,)
)
Defendants, and)
)
PARENT-GUARDIAN ASSOCIATIONS)
OF ARLINGTON DEVELOPMENTAL)
CENTER,)
)
Defendant-Intervenors.)

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of Magistrate Judge Diane K. Vescovo (ECF No. 2970), filed May 31, 2013, recommending that the Court find Defendants have completed certain material provisions of the Exit Plan (ECF No. 2941).

Specifically, the Report and Recommendation recommends the Court find Defendants have completed the following provisions of the Exit Plan:

- Section II.C.1

- Section II.D.1
- Section III.F

(ECF No. 2970 at 1-2.) No objections to the Report and Recommendation have been filed, and the time for filing objections has expired.

On de novo review of the Magistrate Judge's Report and Recommendation, the Court hereby ADOPTS the Report and Recommendation in its entirety. The Court finds Defendants have completed the provisions in Sections II.C.1, II.D.1, and III.F of the Exit Plan. In making the finding regarding Section II.C.1, the Court reiterates that Section II.C.2 of the Exit Plan (ECF No. 2941 at 12) requires the State to continue to document and track information needed by each potential class member until the end of the period for responding to the Notice of Opportunity to Apply to become a member of the At-Risk Class.

IT IS SO ORDERED this 17th day of June, 2013.

/s/ Jon P. McCalla
CHIEF U.S. DISTRICT JUDGE